

DISTRICT V ADVISORY BOARD

Minutes

March 5, 2001

The District V Advisory Board meeting was held at 7:00 p.m. at the Sedgwick County Extension Center, 21st Street & Ridge Road.

Members Present

David Almes
Sean Cash
Bob Bulman
David Dennis
Margarita Farelle-Hunt
Fran Hoggatt
Andy Johnson
Council Member Bob Martz

Members Absent

Maurice Ediger
Vince Miller
Bob Sorenson

Staff

Sandy Mackey, Police Department
Gene Rath, Public Works
Deb Legge, Central Inspection
Scott Knebel, Planning
Dana Brown, City Manager's Office

Prior to Council Member Bob Martz calling the meeting to order, **Bob Bulman** requested to make a presentation. He noted that this meeting completed a year of service by the Board. He expressed appreciation to Council Member Martz for having lead the Board and presented him with a wooden gavel and base that Bulman had personally carved. **Council Member Bob Martz** thanked Bulman for the gift, acknowledging the effort and skill necessary to make the gavel and base. He then thanked the Board for the year of service that they had given toward representing the residents of District V and providing him with advisement as the District V Council Member.

Council Member Bob Martz then called the meeting to order at 7:10 p.m. and welcomed the public to the District V Advisory Board (DAB) meeting. He explained to the public that the DAB members serve as an advisory group to him as their Council and represent the residents of the 5th District in matters such as the issues on tonight's agenda.

Approval of Minutes

Council Member Martz asked for any corrections for the February 5, 2001 minutes. **Bulman** stated that he had abstained on the Board recommendation vote concerning the Barefoot Bay area. With that addition, it was moved and seconded that the minutes be approved. **Motion passed 7-0**

Approval of the Agenda

Council Member Martz stated that the agenda would need to be adjusted as needed for staff who are presenting at other District Advisory Board meetings tonight.

Public Agenda

George Walta, 10630 Carr Street, asked about the status for paving and arranging payments for Carr. **Council Member Martz** stated that they were still working on it, including Law Department's review and advisement. After Law's response, the project will go to Council for approval.

Public Works Agenda

Improvements to 21st Street between Maize and 119th Street

Gene Rath, Public Works Engineering, discussed a project to reconstruct 21st Street to four through-lanes and a continuous center two-way left turn lane. He stated that a meeting for residents in the area of the project had been held previous to the DAB meeting tonight. Rath explained that the project was being funded through the Capital Improvement Program with \$3.1 million including 80% of the cost paid by federal funding as pass-through to Kansas Department of Transportation (KDOT). The construction is scheduled to begin this year and extend through 2002 with the street remaining open for through-traffic and allowing access for residents during construction. Rath noted that at the 119th Street intersection, the road would be widened for a short distance to the north, west, and south. Poles would be erected at this intersection for an eventual traffic light. He stated that storm water drainage would replace the ditches. Sidewalks on both sides would be constructed with the one on the south side being five feet wide, and the one on the north being ten feet wide to allow for a bike path if funded through a federal application process to connect with the bike path east of Maple. Landscaping would be placed in the right of way area.

With no Board questions, the discussion was opened to the public. **Robert Kelly, 10080 W. 21st Street**, stated that the east side of 21st Street was a very busy area with lots of kids. He asked when the light would be installed? **Rath** stated that the light is not correctly planned but recognition was given for the need through designing for eventual installation. **Kelly** noted that a great deal of the traffic is due to high schools in the area. **Rath** agreed to talk to the Engineer about the need. **Council Member Martz** stated that safety above all should be the priority. **Kelly** asked for more information about the bike paths. Rath explained that the path would tie into a path two (2) miles east into Sedgwick County. He stated that it was better to do with the road construction than try to retrofit. **Alvin Neville, 11304 N. 21st Street**, asked if the bike paths would be concrete with no resting areas. He also stated that there is a lot of "rolling through" of cars at the 21st & 119th intersection at rush hour. **Council Member Martz** stated that agreement for the need is there, it's just about how it's done. Kelly asked about why construction had stopped on North Maize, and **Council Member Martz** stated that the County was working on that area.

Patti Gerdes, 2114 N. Parkdale Circle, and Timberidge HOA Secretary-Treasurer, asked if their existing sprinklers along 21st would be impacted by the expansion. **Rath** stated that the contractor would assess and do any work to restore the sprinklers, if necessary. **Gerdes** asked about the existing trees, and Rath explained that the design of the sidewalk would work around the trees. **Ray Hernden, 11407 21st Street**, asked if the landscaping would include reseeding and quality topsoil. **Rath** explained that usually sod is used. **Kelly** asked how the north curb line would be situated in relation to the water line; would it affect the entrance to his home? **Mike**

Stump, agent for the project design firm, stated that the concrete work would match the current width. Questions were raised about the size and height of the curb, especially for allowing for ice buildup on the road. **Rath** stated it would be 2-3 feet lower, and **Stump** said the incline would be less than 5%. **Bulman** asked whether a traffic count had been conducted to gain a reliable baseline before the commercial construction is completed at 21st and Maize. **Rath** said that he would check—than typically traffic counts are conducted every other year. **Dennis** asked if the count is sufficient, will a traffic light be installed, or would it be a four-way stop? **Rath** said that four-way stops are avoided, if possible, and that a signal light would be installed, if justified. **Bulman** asked when construction would begin. **Rath** said it would depend upon approval process; hopefully, this spring or summer. **Donna Kelly, 11080 W. 21st** asked when the last count was conducted, and stated that the traffic had increased so much that sometimes they have to drive through the residential area to 119th to get out. **Rath** stated that he didn't know but would check on the count. **Council Member Martz** agreed that the traffic had certainly increased and that the expansion with increased lanes will help but the City will focus on making safety its first priority. **Bulman** moved that the Board recommend approval; **Johnson** seconded the motion. **Motion passed 7-0.**

Action: Unanimous vote to recommend MAPC and Council approval.

Staff Presentations/Reports

Minimum Housing Standards

Deb Legge, Office of Central Inspection, presented the minimum standards proposed as requirements for housing. She referred to the summary provided and explained that most of the changes were intended to clarify wording and provide definitions. In addition, the focus would be on safety, such as locks on windows and doors, smoke detectors, and insects; and workmanlike manner. Some of the issues are also included in the codes for Fire and Health. The proposed standards increases responsibility for the tenant such as screen maintenance and smoke detectors; and increased responsibility for the property owners, such as windows and doors used for ventilation.

Discussion was opened to the Board. **Johnson** asked how workmanlike manner is defined? **Legge** explained that it means according to manufacturer's instruction and are linked to codes for less subjectivity. **Johnson** stated that the inspector's subjectiveness has been a concern in the past. **Legge** stated that Central Inspection stressed consistency and tried to ensure with inspector training. **Hoggatt** asked about the need for restrictions on using non-combustible materials on counter tops. **Legge** explained that often linoleum is used on counters but it is intended for floors. **Hoggatt** asked if all rental units would need to be retrofitted to these standards? **Legge** replied no, not as long as the unit is maintained. **Hoggatt** asked if that would include the new proposal for basement egress? **Legge** stated that Central Inspection would enforce as they became aware of basements used as bedrooms with no egress, noting that some basements are not intended for sleeping and safety for children and the elderly is a high concern. **Hoggatt** asked about gutters and downspouts, and **Legge** replied that those were not required but if they exist, must maintain in good condition. **Bulman** asked about Section Nine of the proposed amendments, whether vented and non-vented heaters were affected, including space heaters. **Legge** explained that the intent was to regulate gas heaters—already in the codes—but not

electric. **Bulman** stated that he thought that needed clarifying. He also asked about Section Seven on screening to keep out rodents, and asked if screening would be necessary on basement windows and every opening? **Legge** stated, yes, screen would be needed. **Bulman** asked Legge to explain the procedure for violations. **Legge** stated that 1) an initial notice would be sent allowing the property owner sixty (60) days to repair. If no response, a thirty-day notice is sent warning that legal action will be taken. As long as the property owner is working with the inspector to make the necessary changes, some allowance is given. **Bulman** asked how the changes would impact the number of cases for each inspector. **Legge** stated the caseload would still be the same for each inspector, approximately 4,000 cases; inspectors would not go looking for these violations but when they were identified, OCI would cite the property owner. Likewise, as other departments note the violations, referral would be made to OCI. **Almes** asked about changes in the electrical code, and **Legge** explained that the changes would apply to habitable rooms to provide adequate outlets, reducing the overuse of extension cords. **Almes** stated that he worked with a prison ministries program in which flueless heaters are used and wondered about the concern; **Legge** stated they were allowed in the Mechanical Codes. **Almes** said he thought that needed to be reworded to be clear. **Cash** stated that he agreed with Johnson about the inspectors needing to be consistent. For instance, he noted that Section Eight housing by federal guidelines requires smoke detectors. **Legge** stated that these would not be affected by the proposed changes. **Dennis** asked if other city codes were researched, and **Legge** stated that they had based the proposed changes on the research conducted for successes and lessons learned by other cities. **Johnson** reiterated the need for consistency by the inspectors, noting that the department's image is based on their work. **Cash** also noted that the tenants are often the violators so he was glad to see that they would have more responsibility.

With no more questions or comments, **Legge** thanked the board for their input.

Action: Provided comments.

Scott Knebel, Planning Department, asked to present the Planning case of CUP2001-00008 since the agent for that case was present. **Council Member Martz** agreed to hear the proposed Unified Zoning Code after reviewing the planning case.

Planning Agenda

CUP2001-0008 (DP 19 Amendment #2)

Scott Knebel, Planning Department, presented information regarding a request to amend the West Center Community Unit Plan, located at the southeast corner of Central & Tyler, for a wireless communication facility—a 165 foot high monopole tower on property zoned LC, Limited Commercial. Knebel explained that the company, Cricket Communications, intended to use the pole to provide wireless service to the west side. The staff had recommended disapproval of the request due to the existing tower at Bishop Carroll and the recommendation in the City's Master Wireless Plan that existing structures be utilized when available to minimize the number of towers. However, in the event that MAPC approved the request, the Planning staff recommended the conditions listed in the staff report be associated with the approval including construction be completed within one year with the monopole design of no higher than 165 feet; restrict to four carriers; a six-foot solid screening fence; and, obtain FAA approval.

Almes asked if the property owners had been notified and **Knebel** stated that those within the required radius had been notified. **Dennis** asked if the request met airport criteria. **Council Member Martz** added that this information had been previously requested by the Board but never received. He stated that he expected a memo from the Airport with information about the hazard areas. **Knebel** stated that he wasn't aware of the Airport's response. **Hoggatt** asked how tall the Bishop Carroll tower is, and **Knebel** stated 150 feet. **Cash** asked if additional carrier capacity existed, and **Knebel** stated that the tower has two carriers and was built prior to regulation.

Greg Ferris introduced himself as the agent for Cricket Communications and stated that property owners on the notification list had been sent a notice. In addition, he said that a sign had been posted for twice as long as required. He went on to explain that Cricket Communications came to Wichita with the intent to use the school towers and had contacted Northwest High about using their tower. Wichita public Schools had changed their mind about allowing the use of the tower, citing the concern of a very residential area. Consequently, Cricket identified a site that complies with the Wireless Master Plan including the use of a landscape screening. Ferris stated that barriers existed with using the Wichita Public Schools' towers. Regarding the airport issue, Ferris stated that the FAA must approve the towers in the area of airports, and that FAA does monitor such towers as well as communicate with the local airport regarding such requests. Describing the design of the intended tower, Ferris said that the monopole is more like a light pole, not a lattice structure. He stated the 165-foot height is necessary to avoid conflict with another pole in the area. Consideration of rebuilding the school tower indicated that it would cost about \$200,000 or more. To date, no opposition has been received from the adjacent property owners to the site selected.

Discussion went back to the Board with **Cash** asking the height of a light pole for comparison. **Ferris** stated it's only about 30 feet. **Hoggatt** noted that she had not noticed the tower at Central & Maize, and **Ferris** said it was built several years ago. **Bulman** asked if more information could be provided about the USD 259 agreement, and **Ferris** said that use of towers had been promised several times and that intent was given to rebuild as schools are rebuilt with the school bond. However, the school bonds includes some very stringent restrictions including having \$55,000 up front. **Johnson** stated that he was most concerned about the airport issues, and didn't understand why the airport had not responded with an approval or disapproval. **Knebel** stated that the airport took no position. **Council Member Martz** stated that he just wanted verification of their position and felt they needed to have written guidelines for tall structures in the airport area. **Ferris** said that the site is not in any of the hazard areas identified by the airport but **Knebel** said that he thought it was in an area that limited structures to 300 feet. **Council Member Martz** said the Board needs to see the information and guidelines, and asked **Knebel** to obtain it. **Johnson** then moved that the Board recommend approval subject to Council Member Martz's receipt of the requested information and his noting that no conflicts exist. **Hunt** seconded. **Bulman** asked how close to the corner would the tower be sited. **Ferris** stated about 250 feet from the curb line on /Tyler and slightly more than 200 feet from the curb line on Central. **Bulman** stated that he would rather recommend using the Bishop Carroll tower or rebuilding at Wilbur Middle School, if capacity exists. The vote was taken and resulted in passing 5:1.

Action: Motion passed 5:1 to recommend MAPC and Council approval, subject to no violation of Airport hazard areas and the conditions proposed by Planning staff.

Staff Presentations (continued)

Amendments to Unified Zoning Code

Scott Knebel, Planning, presented a briefing on the recommended amendments to the Unified Zoning Code. He explained that the amendments are recommended to clarify existing zoning codes or assist with redevelopment in the community. **Knebel** stated that the Metropolitan Area Planning Commission would consider the amendments at their March 8 meeting. Some specific changes would allow use of older areas for in-fill which the City is working to encourage, such as off-site parking, set-back requirements, and an additional zoning class for single family of SF-5 to allow use of smaller size lots. Specifically, **Knebel** stated that if a lot is less than 6,000 square feet, the set back could be five feet instead of six. **Bulman** asked if any concerns existed for access by fire vehicles, and **Knebel** stated that the fire code currently allows five feet (on each adjacent property) for access. **Bulman** asked if that applied to new construction, and **Council Member Martz** stated that there would be no difference for older and newer areas but it was more determined by what the market would bear. **Johnson** asked if it applied to manufactured homes, and **Knebel** said it would be allowed if the home were on a foundation with sloped roofs and siding.

Knebel continued with the amendments stating that the time period allowed for portable storage containers to remain in place in LC areas, or limited commercial, versus industrial areas would become 30 days instead of 60 days. The storage containers would still be permitted in construction areas. **Hoggatt** commented that 30 days versus 60 days might not allow for the time between the school season and the holiday season for some retail stores

Johnson asked what prompted the changes, and **Knebel** stated the recommendations came out of the process involved in the adoption of the Comprehensive Plan. **Johnson** commended staff and the committee for the insight and work involved in the proposed amendments. **Bulman (Johnson)** moved for approval of the recommended changes. Motion passed 6-0.

Action: Recommended approval of amendments 6-0.

Board Agenda

Community Policing Report

Community Police Officer Lacy reported that even though the bank robberies continue, the Police have been contacting banks about hiring security, especially near residential areas. The suspect routinely parks in the residential area and walks to and from the bank. Police are also encouraging residents to report suspicious vehicles parked in their area. Officer Lacy also reported an increase in complaints about electric scooters over which they have no enforcement capability. In addition, reports have increased about vandalism caused by driving through the greens at golf courses including Deer Trail and Auburn Hills. **Johnson** asked if burglaries were continuing at the strip centers; Lacy stated that none had been reported. Questions arose about the existence of a homeowner's association around Mascot, and **Officer Mackey** asked what the Council determined about the commercial and recreational vehicle parking in residential areas. Staff agreed to provide information on both to the officers.

Action: Receive and file.

New Business

None scheduled.

Other

Neighborhood University

Staff provided a brief report on the Neighborhood University held on Saturday, February 24, 2001, stating that approximately 85 people attended including citizens, staff, and presenters. The DAB Roundtable was especially informative and all DAB members who participated provided evidence of the success of the DABs.

Action: Receive and file.

Public Information Session on the Capital Improvement Program (CIP)

Staff reminded the DAB Members and the public that the City Manager's Office would host two public workshops to provide citizens an opportunity to give input on future capital improvement projects. A simulated committee review is scheduled for District Advisory Board Members, neighborhood groups, and citizens at 7:00 p.m. on March 14 and March 15 at Century II. Districts I, II, & III will meet on Wednesday, March 14, and Districts IV, V, & VI will meet on Thursday, March 15.

Action: Receive and file

Miscellaneous

Council Member Martz and Board Members briefly discussed two other items including concerns for the site proposed by the County for the construction and demolition landfill, and about the inconvenience for older citizens in boarding/de-boarding the school bus used to shuttle people attending the Lawn & Garden Show at Century II from the parking lot at Lawrence-Dumont.

Action: Receive and file.

Next Meeting

The next scheduled meeting of the District V Advisory Board will be held on April 2, 2001 at 7:00 p.m. in the Meadowlark Room at the Sedgwick County Extension Center.

Action: Receive and file.

Adjournment

With no further business, Bulman (Johnson) moved the meeting be adjourned. **Council Member Martz** announced adjournment at 10:57 p.m.

Respectfully Submitted,

Dana Brown, Neighborhood Assistant

Guests

Annette Johnson

Ludora Herndon

George Walta

Donna M. Kelly

Paul Mainz

Patty Gerdes

Kirby Demel

Alvin Neville

Robert Kelly

Greg Ferris

Floyd Senis

10616 Carr

11407 W. 21st. N.

10630 Carr

11002 W. 21st. North

11014 Cornelison

2114 N. Parkdale Circle

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